

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman, Ken Y Hsu, Charles J.
Winslow, John Flynn, Steve Mitchell, Scott
Yerby, Jay A. Markwart
Appln. No.: 10/816,173
Confirm. No.: 7894
Filed: 04/01/2004
Title: CERVICAL INTERSPINOUS PROCESS
DISTRACTION IMPLANT AND METHOD OF
IMPLANTATION

PATENT APPLICATION

Art Unit: 3738
Examiner:

Customer No.: 23910

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CERVICAL INTERSPINOUS PROCESS DISTRACTION IMPLANT
AND METHOD OF IMPLANTATION**

the specification of which (check applicable ones):

- _____ is filed herewith;
• _____ was filed with the above-identified "Filed" date and "Appln. No."
_____ was amended on (or amended through) _____.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

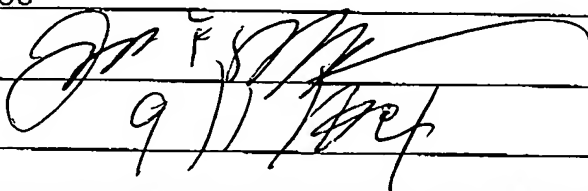


(1) Full name of sole
or first inventor: James F. Zucherman

(1) Residence: 3035 Pine Street, San Francisco, CA 94123

(1) Mailing Address: SAME

(1) Citizenship: US

(1) Inventor's signature: 


(1) Date: 9/1/04

(2) Full name of second
joint inventor: Ken Y. Hsu

(2) Residence: 52 Clarendon Avenue, San Francisco, CA 94114

(2) Mailing Address: SAME

(2) Citizenship: US

(2) Inventor's signature: 

(2) Date: 9/1/2004

(3) Full name of second
joint inventor: Charles J. Winslow

(3) Residence: 25 Hilton Ct., Walnut Creek, CA 94595

(3) Mailing Address: SAME

(3) Citizenship: US

(3) Inventor's signature: _____

(3) Date: _____

(1) Full name of sole
or first inventor: James F. Zucherman

(1) Residence: 3035 Pine Street, San Francisco, CA 94123

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(3) Inventor's signature: Charles J. Winslow

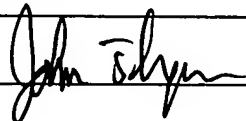
(3) Date: 8/4/04

(4) Full name of second
joint inventor: John Flynn

(4) Residence: 1458 Santa Clara Ave., Concord, CA 94519

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(4) Date: 8/4/04

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joint inventor: Steve Mitchell

(5) Residence: 776 Duke Circle, Pleasant Hill, CA 94523

(5) Mailing Address: SAME

(5) Citizenship: US

(5) Inventor's signature: 

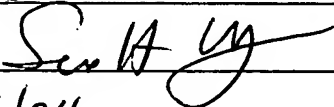
(5) Date: 8-4-04

(6) Full name of second
joint inventor: Scott Yerby

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(6) Mailing Address: SAME

(6) Citizenship: US

(6) Inventor's signature: 

(6) Date: 8/4/04

(7) Full name of second
joint inventor: Jay A. Markwart

(7) Residence: 4808 Heyer Avenue Castro Valley, CA 94552

(7) Mailing Address: SAME

(7) Citizenship: US

(7) Inventor's signature: John A. Markwart

(7) Date: _____